

REMARKS

The Office Action mailed November 5, 2003 has been reviewed and carefully considered. Claims 1-11 remain pending in this application, of which claims 1 and 6 are independent. Reconsideration of the above-identified application in view of the following remarks is respectfully requested.

Claims 1, 5-6 and 10-11 stand rejected under 35 U.S.C. 102(e) as anticipated by U.S. Patent No. 6,636,596 to Gallant et al. ("Gallant").

35 U.S.C. 102 provides that "A person shall be entitled to a patent unless - . . . (e) the invention was described in - (1) an application for patent, published under **section 122(b)**, by another filed in the United States before the invention by the applicant for patent . . . "

The Gallant reference was filed in the U.S. on September 24, 1999. Since the applicants claimed ("Claim of Priority" section of specification) and were accorded a priority date of September 6, 1999 (See, e.g., Office Action Summary, May 14, 2003), Gallant was not filed "before the invention by the applicant for patent." Gallant is therefore not prior art with respect to the claims of the present application. Enclosed is a certified translation of the foreign counterpart patent application from which the September 6, 1999 priority date is claimed.

Claims 2-4 and 7-9 stand rejected under 35 U.S.C. 103(a) as unpatentable over Gallant.

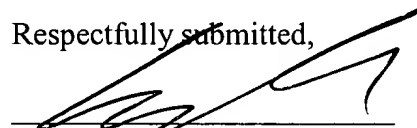
Since Gallant is not prior art under 35 U.S.C. 102, Gallant is likewise not prior art under 35 U.S.C. 103.

Reconsideration and withdrawal of the rejections is respectfully requested.

In view of the foregoing amendments and remarks, it is believed that this application is now in condition for allowance. The Examiner is invited to contact the undersigned in the event of any perceived outstanding issues so that passage of the case to issue can be effected without the need for a further Office Action.

If there are any fees due and owing, please charge Deposit Account No. 502-470.

Respectfully submitted,


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2/4/05

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